

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/804,317 Confirmation No. : 7306
First Applicant : Kenneth B. Kixmoeller Art Unit : 3632
Filed : 18 March 2004 Examiner : Baxter, Gwendolyn
Wrenn
Title : Holding device for a cooking container lid
Docket No. : 022-040000US
Customer No. : 33486

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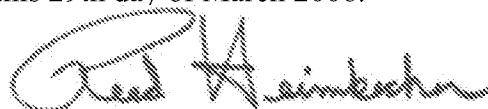
RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In an Office Action mailed 28 November 2005, the Examiner identified three (3) “patentably distinct species” of the claimed invention. The Applicant elects for initial prosecution Species 1, which was identified by the Examiner as being depicted in Figs. 1-6, 11A, 11B, and 12. Although the Applicant does not necessarily agree with the restriction requirement, the Applicant makes this election **without traverse** to advance prosecution. Claims 1-11, 17-23, and 25-27 read upon elected Species 1 and are thus elected for initial prosecution. Claims 12-16 and 24 are withdrawn. A full listing of the claims is presented below on pages 2-7.

A petition for a one-month extension of time to reply is enclosed.

If the Examiner has any additional questions, she is encouraged to contact the undersigned attorney. Respectfully submitted this 29th day of March 2006.



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Listing of the claims

1. (original) A device for holding a lid comprising:
a mounting base having at least one retaining member; and
a sliding member operably connected with the mounting base, the sliding member further comprising a second retaining member; wherein
the sliding member travels linearly with respect to the mounting base;
the at least one retaining member is oriented in a direction generally opposed to the second retaining member; and
the lid is retained between the at least one retaining member and the second retaining member.
2. (original) A device for holding a lid to a cooking container, the device comprising:
a mounting base having
a center section, wherein the center section defines a slot;
a left wing section connected with the center section, wherein
the left wing section further comprises a first retainer clip; and
a right wing section connected with the center section, wherein
the right wing section further comprises a second retainer clip; and
an elongate sliding member, wherein
the sliding member further comprises a third retainer clip; and
the sliding member both travels within and is retained within the slot.
3. (original) The device of claim 2, wherein
the center section is spaced apart from both the left wing section and the right wing section;
the center section is connected with the left wing section along a first edge by a first transition step; and
the center section is connected with the right wing section along a second edge by a second transition step.

Reply date 29 March 2006

Reply to Office action mailed 28 November 2005

4. (original) The device of claim 3, wherein the space between the center section and both the left wing section and the right wing section further defines the slot.

5. (original) The device of claim 4 further comprising a retention structure connected with at least one of the left wing section and the right wing section and spanning a distance between the left wing section and the right wing, wherein the retention structure further defines the slot.

6. (original) The device of claim 2, wherein the left wing section and the right wing section are angled forward such that the first retainer clip, the second retainer clip, and the third retainer clip define a common plane parallel to the sliding member.

7. (original) The device of claim 2, further comprising an intermediate section disposed between the center section and each of the left wing section and the right wing section, wherein

- the center section is contained within a first plane;
- the intermediate section is contained within a second plane;
- the left wing section and the right wing section are both contained within a third plane;
- the first plane, the second plane, and the third plane are parallel to each other;
- the first plane is spaced apart from the second plane;
- the second plane is spaced apart from the third plane; and
- the first plane is spaced apart from the third plane.

8. (original) The device of claim 7, wherein the mounting base is of unitary construction.

9. (original) The device of claim 8, wherein

- the left wing section is connected with the intermediate section by a first transition step;
- the right wing section is connected with the intermediate section by a second transition step;

- the center section is connected with the intermediate section along a first edge by a third transition step; and

- the center section is connected with the intermediate section along a second edge by a fourth transition step.

Reply date 29 March 2006

Reply to Office action mailed 28 November 2005

10. (original) The device of claim 8, wherein
the intermediate section further comprises a left flange and a right flange;
the center section defines a window opening, wherein
a first portion of the center section extends above the window opening,
and
a second portion of the center section extends below the window opening;
and wherein
the left flange and the right flange extend behind the window opening to meet at a seam.
11. (original) The device of claim 7, wherein the slot is defined by the space between
the center section and the intermediate section.
12. (withdrawn) The device of claim 7 further comprising a retention panel connected
with the intermediate section and positioned opposite the center section, wherein the slot is
further defined by the retention panel.
13. (withdrawn) The device of claim 2, wherein the sliding member is curved about a
longitudinal axis to define a convex surface on a rear side of the sliding member.
14. (withdrawn) The device of claim 13 further comprising an elastic member, wherein
the elastic member is attached at a first end to the sliding member;
the elastic member is attached at a second end to the mounting base; and
the elastic member is substantially housed within boundaries defined by the convex
surface of the sliding member.
15. (withdrawn) The device of claim 5 further comprising an elastic member, and
wherein
the sliding member is curved about a longitudinal axis to define a convex surface on a
rear side of the sliding member;
the elastic member is attached at a first end to the sliding member;
the elastic member is attached at a second end to the retention structure; and
the elastic member is substantially housed within boundaries defined by the convex
surface of the sliding member.

Reply date 29 March 2006

Reply to Office action mailed 28 November 2005

16. (withdrawn) The device of claim 7 further comprising
a retention panel connected with the intermediate section and positioned opposite the
center section, wherein the slot is further defined by the retention panel; and
an elastic member; wherein
the sliding member is curved about a longitudinal axis to define a convex surface on a
rear side of the sliding member;
the elastic member is attached at a first end to the sliding member;
the elastic member is attached at a second end to the retention panel; and
the elastic member is substantially housed within boundaries defined by the convex
surface of the sliding member.

17. (original) The device of claim 2, wherein the first retainer clip, the second retainer
clip, and third retainer clip each further comprise
a corresponding shelf; and
a corresponding lip, wherein
each corresponding shelf is connected with and generally orthogonal to the right wing
section, the left wing section, and the sliding member, respectively; and
each corresponding lip is connected with and generally orthogonal to the respective
corresponding shelf.

18. (original) The device of claim 2, wherein the first retainer clip is oriented at a first
angle with respect to an orientation of the third retainer clip and the second retainer clip is
oriented at a second angle with respect to the orientation of the third retainer clip.

19. (original) The device of claim 18, wherein the first angle is equal and opposite to the
second angle.

20. (original) The device of claim 2, wherein the sliding member further comprises a
retention member, and wherein
the third retainer clip is disposed on a first end of the sliding member;
the retention member is disposed on a second end of the sliding member; and
the retention member is adapted to engage the mounting base to arrest the travel of the
sliding member within the slot.

Reply date 29 March 2006

Reply to Office action mailed 28 November 2005

21. (original) The device of claim 2, wherein the device is composed of a metal or metal alloy selected from the group consisting of: aluminum, stainless steel, copper, nickel, tin, titanium, and brass.

22. (original) The device of claim 2, wherein the device is composed of a plastic or composite material.

23. (original) The device of claim 2, wherein the left wing section and the right wing section each define a mounting aperture.

24. (withdrawn) The device of claim 2, wherein at least one of the sliding member, the left wing section, and the right wing section is adapted to extend telescopically.

25. (original) A device for holding a lid of a cooking container, the device comprising:
a mounting component having
 a first lateral section;
 a first retainer means extending from the first lateral section, the first
retainer means adapted to engage a rim of the lid;
 a second lateral section;
 a second retainer means extending from the second lateral section, the
second retainer means adapted to engage the rim of the lid; and
 a central section disposed between and contiguous with the first lateral
section and the second lateral section; and
a sliding component functionally restrained by the central section to movement in two
dimensions, wherein the sliding component further comprises
 a third retainer means adapted to engage the rim of the lid.

26. (original) The device of claim 25, wherein
the central section is spaced apart from both the first lateral section and the second lateral
section;
the central section is connected with the first lateral section along a first edge by a first
transition step;
the central section is connected with the second lateral section along a second edge by a

Reply date 29 March 2006

Reply to Office action mailed 28 November 2005

second transition step;

the sliding component moves within the space between the central section, the first lateral section, and the second lateral section; and

the sliding component is functionally restrained between the central section, the first transition step, and the second transition step.

27. (original) The device of claim 25, wherein at least one of the first lateral section and the second lateral section further comprises an attachment means for attaching the mounting component to a mounting surface.